

# APPENDIX B—AVIATION RULEMAKING ADVISORY COMMITTEE MEETINGS

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## FULL COMMITTEE, EXECUTIVE COMMITTEE, AND ISSUE AREA MEETINGS

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### Location

Each Aviation Rulemaking Advisory Committee (ARAC) meeting, except for working group meetings, must be held in a Federal facility in Washington, DC, unless the executive director or assistant executive director obtains a waiver. In choosing a location, the executive director or assistant executive director must take into consideration how many people attended similar meetings in the past and the resources and facilities available to the FAA.

### Meetings held outside Washington, DC

If the executive director or assistant executive director wishes to hold a meeting outside Washington, DC, he or she must—

- Obtain a waiver from the Department of Transportation.
- Try to hold the meeting in a Federal facility that is easy to get to and accessible to the public. If the meeting cannot be held in a Federal facility outside Washington, DC, it should be held in a neutral location and facility that is easy to get to and accessible to the public.

To obtain a waiver to hold a meeting outside Washington, DC, the executive director or assistant executive director—

- Completes and e-mails or faxes the Advisory Committee Meeting Location Waiver form to the Director of the Office of Rulemaking 60 days before the proposed meeting date.
- Receives approval of the request from the Director of the Office of Rulemaking and the Department of Transportation committee management officer. The Director of the Office of Rulemaking generally responds within 14 days of receipt of the form. (See appendix F for the Advisory Committee Meeting Location Waiver form.)

### Change of meeting location or date of meeting

If a meeting location or a meeting date needs to be changed, the change should be coordinated with the appropriate ARAC members at least 30 days before the meeting.

**Note:** Two ARAC issue area meetings cannot be held simultaneously.

## Appendix B—ARAC Meetings

### Meeting frequency

Type of Meeting	Frequency per year
Full committee	As needed
Executive Committee	Four times
Issue area	Four times

### Scheduling ARAC meetings

Type of Meeting	Scheduled By	Scheduler's Duties
Full committee	Executive director	<ul style="list-style-type: none"><li>• Choose a meeting location.</li><li>• Develop and approve the agenda.</li><li>• Ensure announcement of the meeting is published in the Federal Register.</li></ul>
Executive Committee		
Issue area	Assistant executive director in consultation with the assistant chair.	

### Notice of meetings

Announcements of ARAC meetings must be published in the Federal Register. The general public can visit the Federal Register Web site at <http://www.access.gpo.gov/nara/cfr/index.html>.

Under FACA, the Federal Register notice of an ARAC meeting must include—

- The name of the advisory committee;
- The time, date, place, and purpose of the meeting;
- A summary of the agenda;
- A sentence stating that any member of the public may submit written comments concerning ARAC's affairs;
- A statement regarding whether the public may speak at the meeting in accordance with guidelines developed by the FAA or ARAC;
- The name, address, and telephone number of the FAA official to whom the public may address any inquiries; and
- A reasonable deadline for written comments from the public to allow time to copy and mail them to the ARAC members before the meeting.

The Office of Rulemaking prepares the Federal Register notice of an ARAC meeting, which must be published in the Federal Register at least 15 calendar days before the proposed date of the meeting. The General Services Administration defines “timely notice” as at least 15 calendar days before the meeting. Less than 15 days’ notice may be given in exceptional circumstances provided the reasons for doing so are included in the meeting notice published in the Federal Register. The shortened notice period is used only in emergency situations. An administrative oversight cannot be used as a reason for not meeting the 15-day public notice period. (See section 101–6.1015 of Title 41, Code of Federal Regulations.)

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Also, the general public may visit the FAA Web site at <http://www.faa.gov/avr/arm/index.htm> for a list of ARAC meetings.

### Public participation

ARAC full committee, Executive Committee, and issue area meetings are open to the public. (See the next section, Working Group Meetings.) These meetings give the public an opportunity to provide input on ARAC recommendation documents before ARAC submits the documents to the Federal Aviation Administration (FAA).

A portion of an ARAC meeting may be set aside for public participation to the extent that the meeting time and agenda permit. The Federal Register notice announcing the meeting provides the public with specific information on addressing ARAC. The public is welcome to present or send written material to ARAC at any time.

The public may address ARAC with the permission of the officiating chair provided the chair has advance notice concerning the scope and duration of the intended presentation. The officiating chair may entertain public comment if, in his or her judgment, doing so would not disrupt the orderly progress of the meeting and would not be unfair to any other person.

### Closed meetings

The FAA may close an ARAC meeting or a portion of an ARAC meeting only for reasons such as when information to be discussed—

- Is classified or best kept secret in the interests of national defense or foreign policy.
- Discloses trade secrets and commercial or financial information obtained from a person that are privileged and confidential.

Section 552b, paragraph (c) of Title 5 of the United States Code on Open Meetings contains a more detailed list of when a Government agency may close a meeting. (See also section 10(d) of the Federal Advisory Committee Act (FACA).)

### Meeting briefing

Each ARAC issue area meeting must include a briefing on FACA requirements. The executive director or the assistant executive director, as appropriate, must include this briefing in his or her opening remarks. The briefing does not need to be identified as an agenda item.

### Meeting agenda

The meeting agenda should include—

- A review of ARAC activities and
- Any item that needs to be discussed or approved at the meeting.

## **WORKING GROUP MEETINGS**

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### **Attendance**

Only working group members may attend working group meetings. Working group meetings are not open to the public. The working group chair may approve attendance by others at the working group meetings. The working group chair has the right to ask any uninvited persons to leave the meeting. In addition, even though the working group works for ARAC, to preserve the autonomy of the working group, ARAC members may not arbitrarily attend working group meetings.

### **Location**

Working group meetings may be held in any reasonable and accessible location.

Harmonization working group meetings are held alternately in the United States and Europe. Harmonization working group meetings that require attendance by the attorney or economist should be held in the United States because of budgetary constraints. However, the office of primary responsibility may pay the transportation expenses for the attorney and/or economist to attend meetings outside the United States if the office chooses to do so.

### **Meeting frequency**

Working group meetings should be held as often as necessary to enable the working group to complete its task.

### **Scheduling**

The working group chair, in consultation with the FAA representative, schedules the working group meetings by—

- Choosing a meeting location.
- Developing an agenda.
- Informing the issue area assistant chair and assistant executive director of upcoming working group meetings.
- Notifying each working group member of the meeting, including sending an agenda.
- Informing the Office of Rulemaking transportation industry analyst of the meeting. The Office of Rulemaking transportation industry analyst will forward the information for the FAA Web site update.

## Appendix B—ARAC Meetings

### Meeting guidelines

The working group—

- Does not need a quorum to hold a meeting.
- Should meet if the attendees have the necessary expertise to carry out the task.

The working group chair and the FAA representative should be present.

### Change of meeting date

Working groups are encouraged to develop a meeting schedule 1 year in advance for the following calendar year. However, if a scheduled meeting needs to be changed, the working group chair should be contacted immediately to assess whether appropriate working group representation will be able to attend. A new meeting date should be coordinated with all group members.